REMARKS

Claims 1, 2 and 4-13 are pending and rejected. Claims 2 and 4-13 are indicated as being free of the prior art rejection so that once the clarity issues under 35 U.S.C. 112, second paragraph are resolved, these claims may be patentable absent any new rejections. Applicant overcame the rejections of record with the last Amendment and Response filed on October 5, 2010. The following rejections are all new rejections.

Applicant appreciates the courtesy of a telephone conference with Applicant's representative, the undersigned, on April 14, 2011. Applicant provided proposed arguments in a "Proposed Telephone Interview Outline" transmitted to the Examiner by facsimile and email on that date. Applicant appreciates that the Examiner called July 7, 2011 with the results of his discussion with his supervisor regarding Applicant's proposed arguments. The Examiner indicated that the arguments would be sufficient to remove the rejections. However, the Examiner indicated that the claims should be amended to recite "a more tangible article" rather than simply "a system."

In view of the foregoing, Applicant submits the exact arguments and explanations provided in the "Proposed Telephone Interview Outline" herein. As such, Applicant understands that all the outstanding rejections will be withdrawn. Moreover, Applicant amends each of the pending claims to recite "A computer system" rather than merely "A system." No issue of new matter arises from this minor change since the specification is replete with support, including, for instance, in paragraph [0010].

Objection to the Drawings

The Examiner objects to the drawings as not showing the "configuration by extrapolation from visibility study regions with a similar morphology." This feature must either be labeled and identified in the drawings or canceled from the claim language.

Applicant submits that the following technical feature is shown in the drawings:

"....configuration by extrapolation from visibility study regions with a similar morphology."

The **visibility study** allows to define the shape and the size of the region (=surrounded area of the advertising medium, billboard, etc.) based in specific values such as, e.g. gender, age of

the individual who may look at the site, also it may take into consideration means of transportation, because the attention of a driver is quite different from the passenger though providing a different parameters. Figure 1 represents a standard shape based in the use of the angle "alpha" that is the standard visual sharpness of adult population. This will provide the shape of FIG.2, but with a deeper knowledge from the research of the visibility study, **this shape and alpha values change**. For example, older people look closer things, drivers look far and slightly at the left, passengers look more environment rather than road. Pedestrian look more on the wall side, etc. Each visibility study is carried out for each region that surrounds the advertising medium. Using these parameters allow to extrapolate and define a specific study region for each case.

Therefore, Applicant maintains that the previous technical feature is shown at least in Figures 1 and 2. In view of these explanations, Applicant submits that the objection is overcome.

Rejection under 35 USC 112, second paragraph

The Examiner rejects claim 1, 2 and 4-13 as allegedly unclear because of the following language:

1. "a system for automatically locating visibility zones" (unclear what kind of system is claimed); and
2. "study region" (unclear whether the study region is part of the viewer direction toward the display board).

Applicant maintains that the presently pending claims are clear and definite and prefers not to amend the claim at this time.

1. Regarding whether "study region" is clear

Applicant submits that the following technical feature is shown in the drawings:

"....configuration by extrapolation from visibility study regions with a similar morphology."

The **visibility study** allows to define the shape and the size of the region (=surrounded area of the advertising medium, billboard, etc.) based in specific values such as, e.g. gender, age of

the individual who may look at the site, also it may take into consideration means of transportation, because the attention of a driver is quite different from the passenger though providing a different parameters. Figure 1 represents a standard shape based in the use of the angle "alpha" that is the standard visual sharpness of adult population. This will provide the shape of FIG.2, but with a deeper knowledge from the research of the visibility study, **this shape and alpha values change**. For example, older people look closer things, drivers look far and slightly at the left, passengers look more environment rather than road. Pedestrian look more on the wall side, etc. Each visibility study is carried out for each region that surrounds the advertising medium. Using these parameters allow to extrapolate and define a specific study region for each case. As noted above, Applicant maintains that the previous technical feature is shown at least in Figures 1 and 2.

2. Regarding whether "a system for automatically locating visibility zones" is clear

Applicant submits that the present invention is directed to locating an advertising medium in an optimized point of one area of interest. For instance, if a company wishes to place an advertisement in "Times Square" (=area of interest=study region), the present invention will find the optimized point of Times Square from which the advert is optimally viewed.

One possible implementation of the present invention is carried out with a personal computer endowed with the computer application and the other elements comprised into claim 1 of the present application. The computer will display in its display panel the result of applying the computer application to the inputs (i.e., morphology, orientation, study region, etc..). The result shown on the display panel of the personal computer has the appearance of Figure 8A or Figure 8B. This implementation allows the user (or a company interested in placing its advertisement) to know the optimised point for the advertising medium before placing it physically in the area of interests.

Therefore, Applicant submits that the "system for automatically locating visibility zones" comprises several possible implementations, that why the term "system" comprises all of them.

Rejection under 35 USC 103

The Examiner rejects claim 1 as allegedly unpatentable over Hampton *et al.,* U.S. Patent 6,252,522 in view of Nicholson *et al.,* U.S. Patent 6,414,650. The Examiner admits that Hampton et al. do not teach default configuration, configuration by visibility optimization criteria and combinations thereof. However, according to the Examiner, Nicholson *et al.* teach default configuration, configuration by visibility optimization criteria and combinations thereof (citing column 14, lines 25-67 and column 15, lines 54-64). Therefore, according to the Examiner it would have been obvious to incorporate such into the system of Hampton *et al.* in order to provide a sign system for creating extremely light weight, reconfigurable, changeable signs suitable for outdoors. Again, claims 2 and 4-13 are not rejected over the prior art.

Considering the explanations provided in 1. and 2. above, Applicant submits that the present invention is patentable over the prior art for at least the following reasons:

1. "... wherein the computer application further comprises means for configuring at least one visibility zone locating criterion,..." (claim 1). Hampton et al. teach "... a potential viewer of the billboard...data signal is used to determine a duration over which the viewer is in the **pre-defined** exposure **area**." (*See,* Column 1, lines 55-62) The present claims recite "potential visibility zone" and "...means for configuring at least one visibility zone locating criterion." (*See,* claim 1) Consequently, Hampton *et al.* do not teach or suggest a "potential zone" or a "non pre-defined criterion."

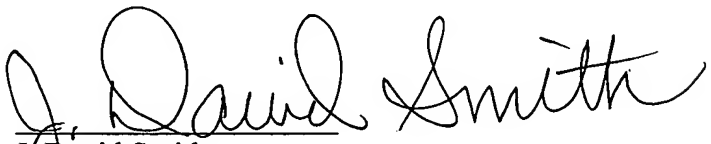
2. "... said means of configuration being selected from: manual configuration,...". Hampton *et al.* teach "manually recording exposure." (*See*, column 6, lines 5-20) The present invention does not record the exposure to the billboard. Therefore, "the manual configuration for configuring the zone locating criterion" of the present invention is neither taught nor suggested by Hampton;

3. "... default configuration, ..., configuration by visibility optimization criteria and combinations thereof." and "configuration by extrapolation from visibility study regions with a similar morphology." Nicholson teaches a display panel and the present invention embraces a system for finding the best location for an element to be viewer, for instance, the display panel disclosed by Nicholson. Therefore, the previous technical features are in no way taught or suggested by Nicholson.

Conclusion

Applicant submits that the claims are in condition for allowance. Expedient acknowledgement as such is earnestly requested. If any issues may be resolved by telephone, please call the undersigned at the telephone number provided below.

Respectfully submitted,



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